

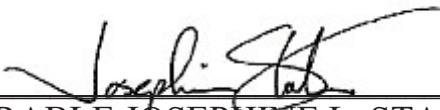
UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

10 JAVIER PELLECER, } Case No. 2:24-cv-4067-JLS-SP
11 Petitioner, }
12 v. } **ORDER ACCEPTING FINDINGS
13 S. SMITH, Warden, } AND RECOMMENDATION OF
14 Respondent. } UNITED STATES MAGISTRATE
15) JUDGE
16)**

17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, records on file,
18 and the Report and Recommendation of the United States Magistrate Judge. Neither
19 petitioner nor respondent filed any written Objections to the Report within the time
20 permitted. The Court accepts the findings and recommendation of the Magistrate Judge.

21 IT IS THEREFORE ORDERED that respondent's Motion to Dismiss (docket no.
22 8) is granted in part and denied in part as follows. Ground Eighteen is hereby stricken
23 from the Petition, and the Motion to Dismiss is otherwise denied. Respondent's answer
24 to the remaining claims in the Petition (Grounds One through Seventeen) shall be filed
25 within 30 days of the date of this Order.

26 Dated: March 27, 2025


27 HONORABLE JOSEPHINE L. STATON
28 UNITED STATES DISTRICT JUDGE